



08-12-04

sfw
1617/5

Docket No. 56769 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Y. Takada, et al.

SERIAL NO.: 10/030,825

EXAMINER: E. J. Webman

FILED: January 11, 2002

GROUP: 1617

FOR: PERCUTANEOUSLY ABSORBABLE PREPARATIONS

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Request for Reconsideration for this application.

STATUS

2. Applicant is
[] a small entity. A statement:
[] is attached.
[] was already filed.
[X] other than a small entity.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

EXPRESS MAILING

[X] deposited with the United States Postal Service with sufficient postage by "Express Mail Post Office to Addressee," mailing Label Number EV437818006US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date August 10, 2004

FACSIMILE

[] transmitted by facsimile to Technology Center 1600 at the Patent and Trademark Office at (703)872 9306

Michelle P. Chicos

Signature
Michelle P. Chicos

(type or print name of person certifying)

(Amendment Transmittal--page 1 of 4)

08/13/2004 HMEKONEN 00000033 10030825

01 FC:1251 110.00 DP

EXTENSION OF TERM

NOTE: *"Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: *See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.*

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 475.00
<input type="checkbox"/>	four months	\$ 1,480.00	\$ 740.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 110.00

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY			OR	OTHER THAN A SMALL ENTITY	
		Present Extra	Rate	Addit. Fee		Rate	Addit. Fee
Claims Remaining After Amendment	Highest No. Previously Paid For	0	\$9.00	\$0.00		\$18.00	\$0.00
		0	\$42.00	\$0.00		\$84.00	\$0.00
Independent Claims						\$280.00	\$0.00
First Presentation of Multiple Dependent Claim+			\$140.00	\$0.00			
						Total Addit. Fee	\$0.00

- * If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,
 ** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ _____.

FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ 110.00.
☐ Charge Account No. _____ the sum of \$ _____.
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

☒ If any additional fee for claims is required, charge Account No. 04-1105.

Date: August 10, 2004


SIGNATURE OF PRACTITIONER

John B. Alexander, Ph.D. (Reg. No. 48,399)
(type or print name of practitioner)

EDWARDS & ANGELL, LLP
Intellectual Property Group
P.O. Box 55874
Boston, MA 02205
Tel. No. (617) 439-4444

Customer No. 21874

BOS2_454492.1



Docket No. 56769 (71526)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Y. Takada, et al.

SERIAL NO.: 10/030,825

EXAMINER: E. J. Webman

FILED: January 11, 2002

GROUP: 1617

FOR: PERCUTANEOUSLY ABSORBABLE PREPARATIONS

Mail Stop: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO SPECIES ELECTION

Responsive to the species election required by the office action dated July 1, 2004,
Applicants elect the matrix type patch of claim 5.

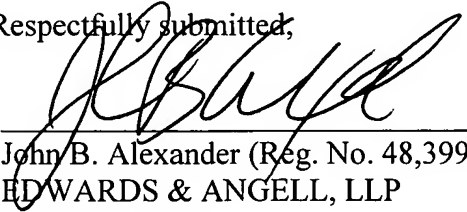
This election is made with the understanding that upon allowance of a generic claim,
applicant will be entitled to consideration of claims to additional species which are written in
dependent form or otherwise include all the limitations of an allowed generic claim.

Early consideration and allowance of the application are earnestly solicited.

Although it is not believed that any additional fees are needed to consider this
submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should
any fee be deemed necessary.

Respectfully submitted,

Date: August 10, 2004


John B. Alexander (Reg. No. 48,399)
EDWARDS & ANGELL, LLP
P. O. Box 55874
Boston, MA 02205
Tel: (617) 439-4444
Fax: (617) 439-4170 / 7748

08/13/2004 MMEKONEN 00000033 10030825

01 FC:1251

110.00 OP

454475